

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
ANTOINE S. BOLDEN,

Plaintiff,

18 **CIVIL** 8349 (KMK)(AEK)

-v-

JUDGMENT

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Stipulation and Order dated July 27, 2021, that this action be, and hereby is, remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings. Remand is required pursuant to Carr v. Saul, 141 S. Ct. 1352 (2021), in which the Supreme Court held that a claimant need not raise an Appointments Clause claim before the Social Security Administration, but may instead present it for the first time in federal court. On remand, the Appeals Council will assign Plaintiff's case to a different administrative law judge ("ALJ") to further evaluate Plaintiff's claims, offer Plaintiff the opportunity for a hearing, and issue a new decision. See Shalala v. Schaefer, 509 U.S. 292 (1993). Each party will bear its own attorneys' fees, costs, and expenses.

Dated: New York, New York
July 28, 2021

RUBY J. KRAJICK

Clerk of Court

BY:

Kmango

Deputy Clerk